

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 30-July 1, 2010

Reference No.: 4.14a.
Action Item
Resolution FP-09-61

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **UPDATE ON PROJECTS DELIVERED BUT NOT YET VOTED**
RESOLUTION FP-09-61

CTC ACTION UPDATE: The California Transportation Commission allocated \$3,550,000 for one State Transportation Improvement Program Project on the Delivered But Not Yet Voted List.

At the June 30, 2010 California Transportation Commission (Commission) meeting, one State Transportation Improvement Program (STIP) project on Route 5 in the city of San Clemente was approved for funding by the Commission. The attached vote box describes the STIP project for \$3,550,000 voted off the Delivered List.

FINANCIAL RESOLUTION:

Resolved, that \$3,550,000 be allocated from the Budget Act of 2010, Budget Act Item 2660-301-0042 for the State Transportation Improvement Program project described in the attached vote box, contingent upon passage of the 2010 Budget Act.

Attachment

4.14a. Allocations from the Delivered List

Project # Allocation Amount Recipient RTPA/CTC County Dist-Co-Rte Postmile	Location Project Description Project Support Expenditures	EA PPNO Program/Year Phase Prgm'd Amount	Budget Year Item # Fund Type	Amount by Fund Type
4.14a. Delivered List Allocations: State Administered STIP Projects on the State Highway System				Resolution FP-09-61
1 \$3,550,000 Department of Transportation OCTA Orange 12N-Ora-5 1.3/1.7	In San Clemente, on southbound Route 5 from El Camino Real to Avenida Ramona. Construct soundwall. Final Project Development Support Estimate: \$ 646,000 Programmed Amount: \$ 646,000 Adjustment: \$ 0 Final Right of Way Right of Way Estimate: \$ 111,000 Programmed Amount: \$ 111,000 Adjustment: \$ 0 (Construction cost increase of \$476,000 to come from Orange County share balance.) <u>Outcome/Output:</u> New soundwall will reduce noise level to under 67 DBA.	0G9401 12-2544B RIP / 10-11 CONST ENG \$688,000 CONST \$3,550,000	2010-11 301-0042 SHA	\$3,550,000
CONTINGENT UPON PASSAGE OF THE 2010 BUDGET ACT AND AVAILABLE ALLOCATION CAPACITY.				

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 30-July 1, 2010

Reference No.: 4.14**b**,
Action Item
Resolution FP-09-62

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **UPDATE ON PROJECTS DELIVERED BUT NOT YET VOTED**
RESOLUTION FP-09-62

CTC ACTION UPDATE: The California Transportation Commission allocated \$1,000,000 for one local State Transportation Improvement Program Project on the Delivered But Not Yet Voted List.

At the June 30, 2010 California Transportation Commission (Commission) meeting, one locally administered State Transportation Improvement Program (STIP) project on Route 101 and Route 82 between Interstate 880 in San Bruno and Whipple Avenue in Redwood City, in San Mateo County was approved for funding by the Commission. The attached vote box describes the local STIP project for \$1,000,000 voted off the Delivered List.

FINANCIAL RESOLUTION:

Resolved, that \$1,000,000 be allocated from the Budget Act of 2010, Budget Act Item 2660-301-0042 for the State Transportation Improvement Program project described in the attached vote box, contingent upon passage of the 2010 Budget Act.

Attachment

4.14b. Allocations from the Delivered List

Project # Allocation Amount Recipient <u>RTPA/CTC</u> County Dist-Co-Rte Postmile	Location Project Description	EA PPNO Program/Year Phase Prgm'd Amount	Budget Year Item # Fund Type	Amount by Fund Type
4.14b. Delivered List Allocations: Locally Administered STIP Projects on the State Highway System				Resolution FP-09-62
21 \$1,000,000 San Mateo City/County Association of Governments <u>MTC</u> San Mateo 04N-SM-82 0.0/19.0	In San Mateo County, on U.S. Route 101 and Route 82 between Interstate 380 in San Bruno and Whipple Avenue in Redwood City. Install traffic signal improvements, CCTVs, trailblazer signs, and vehicle detection systems. (Contributions from local sources: \$389,000.) <u>Outcome/Output:</u> Complete PS&E.	4A9200 04-2140F RIP / 09-10 PS&E \$1,000,000	2010-11 301-0042 SHA 20.20.075.600	\$1,000,000
CONTINGENT UPON PASSAGE OF THE 2010 BUDGET ACT AND AVAILABLE ALLOCATION CAPACITY.				

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 30-July 1, 2010

Reference No.: 4.14c.
Action Item
Resolution FP-09-63

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **UPDATE ON PROJECTS DELIVERED BUT NOT YET VOTED**
RESOLUTION FP-09-63

CTC ACTION UPDATE: The California Transportation Commission allocated \$1,650,000 for one local State Transportation Improvement Program Project on the Delivered But Not Yet Voted List.

At the June 30, 2010 California Transportation Commission (Commission) meeting, one locally administered State Transportation Improvement Program (STIP) project from Route 299 to Route 3 in Weaverville, was approved for funding by the Commission. The attached vote box describes the local STIP project for \$1,650,000 voted off the Delivered List.

FINANCIAL RESOLUTION:

Resolved, that \$1,650,000 be allocated from the Budget Act of 2010, Budget Act Item 2660-101-0042 for the State Transportation Improvement Program project described in the attached vote box, contingent upon passage of the 2010 Budget Act.

Attachment

4.14c. Allocations from the Delivered List

Project #	Allocation Amount	Recipient	EA	Budget Year	Amount by
<u>RTPA/CTC</u>		County	PPNO	Item #	Fund Type
Dist-Co-Rte		Location	Program/Year		
Postmile		Project Description	Phase	Fund Type	
			Prgm'd Amount		
4.14c. Delivered List Allocations: Locally Administered STIP Projects off the State Highway System					Resolution FP-09-63
26 1	\$1,650,000	East Connector Road. In Weaverville, from Route 299 to Route 3. New 2-lane arterial roadway.	454184	2010-11	
Trinity County		<u>Outcome/Output:</u> Improve circulation in Weaverville.	02-2138	101-0042	\$1,650,000
<u>Trinity LTC</u>			RIP / 10-11	SHA	
02-Trinity			R/W		
		CONTINGENT UPON PASSAGE OF THE 2010 BUDGET ACT AND AVAILABLE ALLOCATION CAPACITY.	\$1,650,000		

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 30-July 1, 2010

Reference No.: 4.14d.
Action Item
Resolution BFP-09-09

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **UPDATE ON PROJECTS DELIVERED BUT NOT YET VOTED**
RESOLUTION BFP-09-09

CTC ACTION UPDATE: The California Transportation Commission allocated \$1,028,700 for one Proposition 116 Transit Project on the Delivered But Not Yet Voted List.

At the June 30, 2010 California Transportation Commission (Commission) meeting, one Proposition 116 Transit project was approved for funding by the Commission. The attached vote box describes the one local Proposition 116 Transit project for \$1,028,700 voted off the Delivered List.

FINANCIAL RESOLUTION:

- 1.1 WHEREAS, the California Transportation Commission (Commission) has adopted an annual program for mass transportation capital purposes, and the electorate enacted both Proposition 108-the Passenger Rail and Clean Air Bond Act of 1990, and Proposition 116-the Clean Air and Transportation Improvement Bond Act of 1990, authorizing the sale of general obligation rail bonds for rail transit purposes; and
- 1.2 WHEREAS, the Projects further detailed on the attached vote list, as component phases or in its entirety, appears on the necessary State capital projects funding list and is entitled to participate in this allocation; and
- 1.3 WHEREAS, the Commission has established a "Hazardous Waste Identification and Clean-up Policy" (#G-91-2) which requires the Recipient to perform, with diligence, the process of identification and remediation of any hazardous waste in the right-of-way, easements and properties.
- 2.1 NOW THEREFORE BE IT RESOLVED, that \$1,028,700 in PROPOSITION 116 CLEAN AIR AND TRANSPORTATION IMPROVEMENT BOND proceeds be allocated to the recipient for the one project detailed on the attached vote list; and
- 2.2 BE IT FURTHER RESOLVED, that the transfer of funds for the project shall be governed by a program supplement, and subsequent amendments to the same if required; and

- 2.3 BE IT FURTHER RESOLVED, that the recipient shall provide the Department's Division of Mass Transportation with an updated expenditure plan on a quarterly basis by category including any proposed changes for the balance of all funded Project allocations commencing with the first quarter; and
- 2.4 BE IT FURTHER RESOLVED, that in any instance of rail bond financing of a project, the Commission, acting on behalf of the State, by this Resolution intends:
- A. To cause and approve the issuance of taxable or tax-exempt State general obligation bonds under Proposition 116, as appropriate, to reimburse the Recipient for the Project identified on attached vote list;
 - B. To reimburse the Recipient for expenditures that shall not have been paid from the proceeds of any other tax-exempt indebtedness unless such prior indebtedness is retired with the proceeds of such State monies;
 - C. That this Resolution be a declaration of official intent of the State within the meaning of U.S. Treasury Regulations Section 1.103-17(c) with respect to the Project; and
- 2.5 BE IT FURTHER RESOLVED, that in any instance of rail bond financing, an allocation for a project is subject to the following conditions and assurances:
- A. Completed bond sales authorized by the Office of the State Treasurer;
 - B. Receive bond certification from the Department, preferably prior to the Commission's allocation action but, certification must be obtained prior to execution of the fund transfer agreement;
 - C. The Recipient's certification that it will not adopt new or increased current development taxes, fees, exactions or permit fees for the purpose of providing local matching funds; and the certification of this delivered to this Commission, preferably by the time of Commission allocation action but not later than prior to execution of a fund transfer agreement;
 - D. A formal resolution by the Recipient's Board stating that when utilizing State funding for acquisition of property or for capital improvements on the Project, Recipient has exercised all due diligence in the discovery of hazardous wastes; that Recipient will enter into enforceable agreement(s) with any and all owners of to-be-acquired properties for clean-up of hazardous wastes pursuant to the requirements of Resolution G-91-2 regarding Hazardous Waste Identification and Clean-up for Rail Right-of-Way;
 - E. A formal resolution by the Recipient's Board, stating that when utilizing state-provided and other-than-state funding for acquisition of property or for capital improvements on the Project, that no additional State funds will be requested for clean-up, damages, or liability associated with hazardous wastes on or below the acquired property, delivered to this Commission;

- F. That in any instance of rail bond financing with Proposition 116 funds, eligible costs may be incurred for project development after the project application approval, and all reimbursements of eligible costs are subject to an executed fund transfer agreement;
 - G. The Recipient shall provide the Commission with an "Evaluation of Property Report" by the time of the Commission allocation action, in compliance with Commission Policy G-95-09, Rail Right-of-Way Review Policy, to be verified by the Department or its Agent;
 - H. The Recipient shall post on the Project construction site at least one sign, visible to the public, stating that the Project is partially funded with Proposition 116 Clean Air and Transportation Improvement Bond Act of 1990 proceeds; and
- 2.6 BE IT FURTHER RESOLVED, that this Commission shall be entitled to a then present value refund, or credit, at State's option, equivalent to the proportionate funding participation by the State towards property acquisition and project construction in the event that Recipient, or successor public entities, fail or cease to utilize the Project for the intended public passenger rail purposes or sells or transfers title to the Project. The credit for future purchases or condemnation of all or portions of the Project by the State, and the refund or credit due the Commission in each instance, will be measured by the ratio of State and other public funding to that provided from Recipient. That ratio will be applied to the then fair market value of the Project property; and
- 2.7 BE IT FURTHER RESOLVED, that if the Recipient receives any revenues or profits from any non-governmental use of property allowed pursuant to bond certification (whether approved at this time or hereafter approved by the State), the Recipient agrees that such revenues or profits shall be used exclusively for the public transportation services for which the project was initially approved, either for capital improvements or maintenance and operational costs. If the Recipient does not so dedicate the revenues or profits, a proportionate share shall (unless disapproved by State's Bond Counsel) be paid to the State equivalent to the State's percentage participation in the Project.
- 2.8 BE IT FURTHER RESOLVED, that an allocation for this project is subject to the following conditions and assurances:
- A. Reimbursements of eligible costs are subject to the terms and conditions of the executed fund transfer agreement;
 - B. For project development and right of way phases, the grant recipient must complete the work to be reimbursed and the actual reimbursement by December 31, 2012, unless the Commission authorizes a waiver that extends, if permitted by statute, the period of availability of the funds.

Attachment

4.14d. Allocations from the Delivered List

Project # Allocation Amount Recipient RTPA/CTC District-County	Project Title Project Description	EA Dist-PPNO Program / Year PA # PUC Code Prgm'd Amount	Fund	Allocation Amount
4.14d. Delivered List Allocations: Proposition 116 – Transit Projects Administered by Others				Resolution BFP-09-09
68 1 \$1,028,700 Department of Parks and Recreation SACOG 03-Sacramento	California State Museum of Railroad Technology Transform the historic Boiler Shop into a historic railroad technology working museum. <u>Outcome/Output:</u> Complete conceptual design, preliminary design and final design of boiler room.	R2346B 03-1660 P116 / 09-10 PA-09-08 99648 PS&E \$1,028,700	P116	\$1,028,700